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Documents pertaining to Establishing Milestone Date for Operable Unit 15

Richard Ray Operable Unit 15 Project Manager EG&G Rocky Flats, Inc.

This memorandum is to resolve the issue of the establishing of milestone date(s) for Operable Unit (OU) 15. The Colorado Department of Public Health and Environment (CDPHE), in its letter of January 23, 1995, stated that the Department of Energy (DOE) must propose milestone dates for the activities which will bring closure to this operable unit. EG&G and DOE personnel (mainly you and I) have had numerous conversations and exchanged memoranda on this question. As part of completing the administrative record, the chronology of events is presented below:

- 1. In a letter dated February 8, 1995, EG&G proposed a schedule to complete OU 15 with the signing of a final Record of Decision (ROD) on April 18, 1996.
- 2. DOE presented this schedule to the Environmental Protection Agency (EPA) and CDPHE personnel in a meeting on March 6, 1995 at the EPA Region VIII offices in Denver. A synopsis of that meeting is attachment numbered 1. EPA challenged DOE to complete OU 15 in six months. DOE responded by asking EG&G verbally in the meeting to prepare a schedule to complete OU 15 by October 31, 1995.
- 3. On March 6, 1993, in a letter EG&G reiterated its schedule presented in the February 9 letter cited above with a minor modification.
- 4. In a fax to me on March 7, 1995, EG&G submitted a schedule showing completion of the Corrective Action Decision (CAD)/ROD on November 9, 1995, but cautioned to advise the regulators that this was a draft and should not be considered a submittal for milestone approval. A copy is attachment numbered 2.
- 5. In a fax to EPA and CDPHE on March 7, the draft schedule was conveyed. It was referred to as a Revised Preliminary Draft Schedule. A copy is attachment numbered 3.
- 6. After further revision, the Draft schedule was faxed by EG&G to EPA, CDPHE, and DOE at my request. EG&G noted the feasibility of this schedule is low. A copy is attachment 4.

CORRES. CONTROL ADMN RECORD/080 PATS/T130G

Reviewed for Addressee Corres. Control RFP

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DOE ORDER # 3400/

- 7. On March 20, DOE faxed a draft of the milestone memo to EPA and CDPHE for their comment. The milestone suggested was February 29, 1995, and the suggestion was made that September 30 was viable if the regulatory agencies agreed to meet short review and comment deadlines. A copy is attachment numbered 5.
- 8. In telephone conversations, both EPA and CDPHE personnel agreed to expedited schedules and suggested DOE set the milestone much earlier than the February 29, 1995.
- 9. On March 21, 1995, EG&G forwarded the revised schedule showing a September 29, 1995, completion for submission of a completed CAD/ROD to EPA and CDPHE ready for signing.

These documents were taken from my files and are provided to you for inclusion in the administrative record.

Sincerely yours,

William N. Fitch

Operable Unit 15 Project Manager

cc w/o Attachments:

S. Slaten, ER, RFFO

L. O'Mary, ER, RFFO

D. Schubbe, EG&G

#1

MEETING BETWEEN EPA, CDPHE, DOE, and EG&G PERSONNEL to PRESENT and DISCUSS the PRELIMINARY DRAFT SCHEDULE for the CLOSURE of OU-15, "INSIDE BUILDING CLOSURES"

March 6, 1995

#### **ATTENDEES**

NAME	PHONE	FAX
W. Fitch, DOE/ER	966-4013	966-4871
R. Ray, EG&G	966-8557	966-8556
R. Hyland, RTG/SAIC-TMSS	966-2136	966-8086
A. Duran, EPA	294-1080	294-7559
M. Aguilar, EPA	293-0954	294-7559
C. Spreng, CDPHE	692-3358	759-5355

#### **SYNOPSIS**

Personnel from the EPA, CDPHE, DOE/RFFO and EG&G met this date to discuss the Preliminary Draft Schedule for the Closure of OU-15, "Inside Building Closures." The following is a brief synopsis of this meeting, which commenced at approximately 9:50 AM on March 6, 1995, at the EPA Region VIII – Conference Center, Wetlands Room – Denver, CO.

Before the meeting Mr. Duran introduced Mr. Mark Aguilar of the EPA, who will be assisting Mr. Duran.

Dr. Fitch opened the meeting at approximately 9:50 AM and proceeded to provide a description and a brief history of the OU-15 remediation effort and its associated IHSSs. Dr. Fitch was aided by Mr. Ray, Mr. Spreng and Mr. Duran.

Dr. Fitch aided by Mr. Ray presented the Preliminary Draft Schedule for the Closure of OU-15. This Schedule identified a Final CAD/ROD submittal to the Regulators on 2-29-96 with Regulator adoption on 4-18-96.

Both during and following this schedule presentation, a vigorous discussion among the attendees occurred. The following is a brief summarization of the salient points.

Mr. Spreng requested clarification on the radiation levels found in the IHSSs as reported in the Final Phase I RFI/RI Report.

Dr. Fitch assisted by Mr. Ray stated that two IHSSs failed to pass the initial screening criteria – IHSS-180, B883 90 day Interim Drum Storage Area, and IHSS-204, B447 Original Uranium Chip Roaster. The radiation survey data for IHSS-180 was used in an extremely conservative manner (The maximum identified  $\alpha$ ,  $\beta$  and  $\gamma$  values were used with a calculated dose based upon 100 percent ingestion and 100 percent external exposure.), and using the GEN II Dose Calculation Program, as only a data compiler and processor, to determine the maximum personnel exposure — no calculated dose exceeded that allowable for radiation workers (5 rem/yr).

Both Mr. Spreng and Mr. Duran identified that the activity logic and durations associated with the Public Comment Period and the preparation of the Responsiveness Summary (RS) appeared to be incorrect. These gentlemen went on to state that a period to get the Proposed Plan (PP) into the public document centers and activities to prepare, review and resolve the comments pertaining to the Draft RS needed to be included and that these activities needed to be completed prior to the submission of the Draft CAD/ROD to the Regulators. Mr. Duran went on to further state that the Final RS and the Draft CAD/ROD should be submitted at the same time.

Mr. Spreng asked if the RCRA Permit Modification schedule logic was independent of the CAD/ROD logic.

Mr. Ray stated that this was the logic sequence used to develop the schedule.

The discussion then turned to the OU-15 Final Phase I RFI/RI Report approval letter.

Dr. Fitch stated that the letter referenced two things: the final resolution of the OU-15 IHSSs with the D&D of the buildings and the institutionalization of the administrative controls presently in use to protect the radiation workers.

Mr. Aguilar asked about a ROD and if the pathways had been examined for contaminate migration.

Dr. Fitch provided a brief description of the pathway examination and of the ROD. Dr. Fitch then continued that DOE had been internally reviewing what situations would cause the ROD to be reopened.

Mr. Duran stated that the ROD would be revisited at five year intervals and that the ROD could be reopened or revisited at any time if the situation inside the buildings, upon which the ROD is based, should change. Mr. Duran went on to say that as long as DOE meets the occupational health standards, everything is OK, but when there is no longer a need in one of the buildings for meeting these controls, then you would revisit the ROD. This is an administrative method to provide relief and the ROD needs to include wording which describes this process.

Mr. Ray said that this language would be included in the ROD.

The question arose concerning the steps that would be necessary to close the OU. Mr. Spreng stated that the language contained in the approval letter was definitive and would satisfy the steps required to close the OU.

The discussion returned to the Preliminary Draft Schedule for the Closure of OU-15.

Mr. Duran stated that a review of the schedule indicated that the overall duration, for the PP and CAD/ROD closure process to occur, appeared to be extremely long.

Dr. Fitch stated that the remaining effort was primarily administrative in nature and that this review and approval process was essentially fixed. He went on to say that the only way to shorten the overall administrative process duration would be to reduce the durations for the activities, which define this process and too use parallel/concurrent document reviews.

Mr. Duran said that he felt that it was possible to accomplish the entire OU-15 closure effort from the preparation of the PP to the approval of the CAD/ROD in a six month time frame.

Dr. Fitch stated that through the use of concurrent reviews and reduced duration review periods, the overall administrative process schedule duration could be reduced; however, DOE has had problems in the past with document review turn-around and that if this situation should exist during this six month time frame, then all of the effort to accelerate the administrative closure process for OU-15 would be in vain.

Mr. Duran said that the six month duration could be split up as follows:

Prepare Draft and Final PPs — ~2 months

Public Review and Comment Period — ~2 months

Prepare Draft and Final RS and CAD/ROD — ~2 months

Mr. Duran went on to state that the only duration that the Regulators and DOE do not have some control over is the Public Comment Period.

Dr. Fitch said that six months to have a Final CAD/ROD approved is possible but that the EPA's, the DOE's and the State's legal reviews could substantially impact such a schedule.

Mr. Duran said a commitment from upper management of the respective DOE, EPA and CDPHE organizations that they will support such an accelerated effort will be necessary.

Dr. Fitch stated that approximately \$ 400K had been requested for the FY96 Budget to support the closure of OU-15 based upon the presently identified work scope and anticipated and realistic rates of progress. If DOE would commit to an accelerated six month schedule for OU-15 closure and than not be able to meet this schedule, for any reason, and then have to go back and request additional funding in FY96, after the fact, rather than before the fact, as they are currently doing, could result in inability to restore the money.

Mr. Duran stated that other than the technical aspects associated with the independent certification required for RCRA Closure of the OU-15 IHSSs, all of the remaining efforts are administrative in nature and that we need to work together, as a team, to complete it.

Dr. Fitch stated that he felt that the Draft PP could, most likely, be ready for public comment in approximately two months.

Mr. Ray said that for this to happen that it would require a great deal of cooperation between the parties.

Mr. Aguilar recommended that the meeting attendees attempt to identify the three biggest things that could slow down or halt the OU-15 Closure process and evaluate whether or not these things can be worked around such that a September, 1995 time frame for the OU-15 Closure is, in fact, an achievable objective.

Dr. Fitch stated that he considered that one of the biggest impediments to achieving an accelerated OU-15 Closure would be a situation where agreement is reached between all of the immediate parties and that when this agreement is placed before senior management, it is rejected, for some unexpected reason beyond any one's knowledge. Dr. Fitch then related his experience with the OU-15 Draft Phase I Technical Memorandum No. 1 (TM-1). The CDPHE had specified that risk based standards be developed for the OU-15 IHSS RCRA closures. When these standards had been developed and included in the Draft TM-1 submitted to the Regulators for approval; this risk based standards approach to RCRA closure was rejected at these higher levels within the CDPHE. Dr. Fitch continued that another obstacle to the closure of OU-15 would be when this Closure is made a part of another "fight" between the parties or is held hostage for some other non-related reason, possibly where a dispute might be occurring, i.e., RFCA negotiations, and where, due to higher priority situations arising in either the Regulators or the DOE organizations, essential personnel needed to support the overall closure effort are reassigned. Dr. Fitch then identified one additional situation that could impede progress toward closure of OU-15. This situation could occur when the funding for such a Closure would be curtailed. Dr. Fitch did not think that the probability of this happening, near term, was very high; however, when viewed in the current light of fiscal restraint with respect to Federal spending, it is a possibility that needs to be considered.

Mr. Spreng stated that considerable delay had been experienced in obtaining approvals for the Final CAD/ROD to close OU-16 and that the OU-16 closure was much less complicated and even more straight forward than the OU-15 closure, which, in itself, is not a complex effort by any stretch of the imagination.

Mr. Duran stated that he did not anticipate that this situation would occur again and went on to state that based upon prioritization criteria using risk reduction as a bases, then OU-15's priority is low but that using the baseline then the priority for OU-15 closure, from a cost standpoint, would be very high. Therefore, it would benefit all parties to get OU-15 closed as soon as practical.

-4-

March 6, 1995

Dr. Fitch stated that it would be a mistake on everyone's part to commit to an overly optimistic OU-15 Closure Schedule that you will not be able to achieve. The best thing, in his opinion, would be to officially adapt a more realistic and conservative closure schedule approach and then internally, within the Regulators and DOE spheres of influence, attempt to accelerate the closure process for OU-15. Dr. Fitch went on to say that DOE would rework the present OU-15 Closure Schedule using concurrent reviews and reduced duration review periods in an attempt to bring the OU-15 Closure date forword.

Dr. Fitch continued that DOE would FAX the results of this accelerated scheduling effort to the EPA and CDPHE in approximately two days.

The meeting concluded at approximately 11:35 AM.

# facsimile TRANSMITTAL

to:

Bill Fitch

fax #:

966 - 4728

re:

EG&G Internal Baseline Changes

date:

March 7, 1995

pages:

5, including cover sheet.

Bill,

Here is a DRAFT schedule for your review. As discussed yesterday in the meeting with the EPA and CDPH&E, it was agreed that a schedule with a goal of October 31, 1995 be developed. I have attempted to do just that. The schedule being sent to you must be reviewed for Legal review durations and any other activities you feel should be changed.

Per our phone discussion, of 3/7/95 @ 1:30pm, you stated that this schedule may be faxed to the Agencies for review. If that is the case, please inform them this is only a DRAFT and that it should not be considered a submittal for milestone approval.

All comments or questions can be addressed by myself upon receipt. If you have any questions feel free to call.

From the desk of...

Richard J. Ray OU15 Project Manager EG&G Rocky Flats

> 966 - 8557 Fax: 966 - 8556

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## **FAX TRANSMITTAL**



March 7, 1995

To:	NAME	PHONE	FAX
	A. Duran, EPA	294-1080	294-7559
	M. Aguilar, EPA	293-0954	294-7559
	C. Spreng, CDPHE	692-3358	759-5355

From: R. Hyland (RTG/SAIC-TMSS) FAX: 303-966-4728 Phone: 303-966-2136

Total Pages: 6 including the cover sheet

#### **Message**

At the Meeting between EPA, CDPHE, EG&G and DOE personnel, to discuss the Preliminary Draft Schedule pertinent to the closure of OU-15, "Inside Building Closures," which took place at approximately 10:00 AM on Monday, March 6, 1995, at the EPA Region VIII – Conference Center, Wetlands Room - Denver, CO, it was stated that a revised schedule would be prepared and distributed for your review and comment, as soon as possible.

A Revised Preliminary Draft Schedule has been prepared and is forwarded for your review. This Schedule incorporates some of the reduced activity duration and concurrent review logic scheduling techniques that were discussed during the Meeting. Please mark-up the attached schedule and return it to either myself or Bill Fitch at the above FAX number at your earliest convenience.

If you have any questions or require any additional information please contact me through the above telephone number.

Thank you for your assistance and support in this matter.

not quite -

facsimile TRANSMITTAL

to:

Bill Fitch

to:Arturo Duran

to:Carl Spreng

fax #:

966 - 4728

fax #:294-7559

fax #:759-5355

re:

Operable Unit 15 Draft Schedule

date:

March 9, 1995

pages:

5, including cover sheet.

from:

Rich Ray-EG&G Rocky Flats Tele. # 966-8557 Fax # 966-8556

#### NOTE:

This Draft schedule is being provided per request by Bill Fitch. Bill has also requested that minor changes be made. Once the changes were incorporated the Final CAD/ROD submittal date became September 29, 1995 and the CAD/ROD Approval became October 31, 1995.

Also, attempts were made to shorten the schedule so as to complete within an eight month period. The feasibility of this schedule was low. Therefore I concluded that the schedule you are receiving is the most achievable.

If you have any questions, please contact me at telephone 966-8557.

All comments and suggested changes should be forwarded to Bill Fitch at the DOE.

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Right on #5 sent March 20

FAX

TO

CARL SPRENG, FAX 759-5355 ARTURO DURAN, FAX 294-7559

FROM

BILL FITCH, FAX 4728 (966)

SUBJECT

DRAFT OF MILESTONE MEMO

THE DRAFT OF A MEMO ESTABLISHING A SINGLE MILESTONE FOR OU15 **FOLLOWS** 

PLEASE GIVE ME A REACTION BEFORE I SEND IT OFFICIALLY

BILL

# OF PAGES = 7, INCLUSING COVER SHEET

#### DRAFT DRAFT DRAFT

March 14, 1995

Mr. Joe Schieffelin, Unit Leader Rocky Flats IAG Unit Hazardous Waste Control Program 4300 Cherry Creek Dr., South Denver, Colorado 80222-1530

RE: Schedule for completion of Operable Unit 15 Record of Decision

Dear Mr. Schiefflin:

This letter responds to your letter dated January 23, 1995, requesting the proposal of milestone dates for the activities which will close Operable Unit 15. A draft schedule was presented for discussion to EPA and CDPHE personnel on March 6 in a meeting at EPA. The schedule presented called for completion of the final Record of Decision (ROD) (ready for signing) on February 29, 1996. Anticipating that EPA would take one and a half months to sign the ROD, the OU 15 ROD would be completed by April 18, 1996. The schedule was modified as a result of discussions, and is enclosed with this letter. It is entitled the Proposed Milestone Schedule.

The activities that are necessary to complete the ROD are administrative in nature, and are not expected to result in further data collection and analysis. The documents which result from the activities listed in your letter are

certification of RCRA Closure draft Proposed Plan final Proposed Plan draft CAD/ROD with Responsiveness Summary final CAD/ROD

We have the certification process underway with completion expected before April 15. The draft Proposed Plan is expected to be submitted to DOE by March 27. This leaves only the review periods for these two documents and the public comment period before preparation of the draft and final CAD/ROD.

DRAFT DRAFT DRAFT

### DRAFT DRAFT DRAFT

We are prepared to complete OU 15 according to the schedule accompanying this letter. It seems counterproductive to establish a milestone for each of the remaining activities, because of the short lapse time of nine months planned to complete the OU 15 CAD/ROD including signing. We suggest that a single milestone be established for the completion of OU 15:

#### Submit the final Record of Decision by February 29, 1996

During the meeting on March 6, the attendees, responding to a challenge from EPA to complete OU 15 in six months, agreed to explore a schedule which would have the final ROD ready for signing by September 30 (e.g., formal signing by October 31.) We have concluded that the schedule can be substantially accelerated if three approaches are used:

- 1) Agreement now to the substance of the OU 15 CAD/ROD. (We suggest a brief written agreement.)
- 2) Simultaneous review of all documents, limited to two calendar weeks.
- 3) Group review in a location remote from the offices of any involved agency, limited to one week.

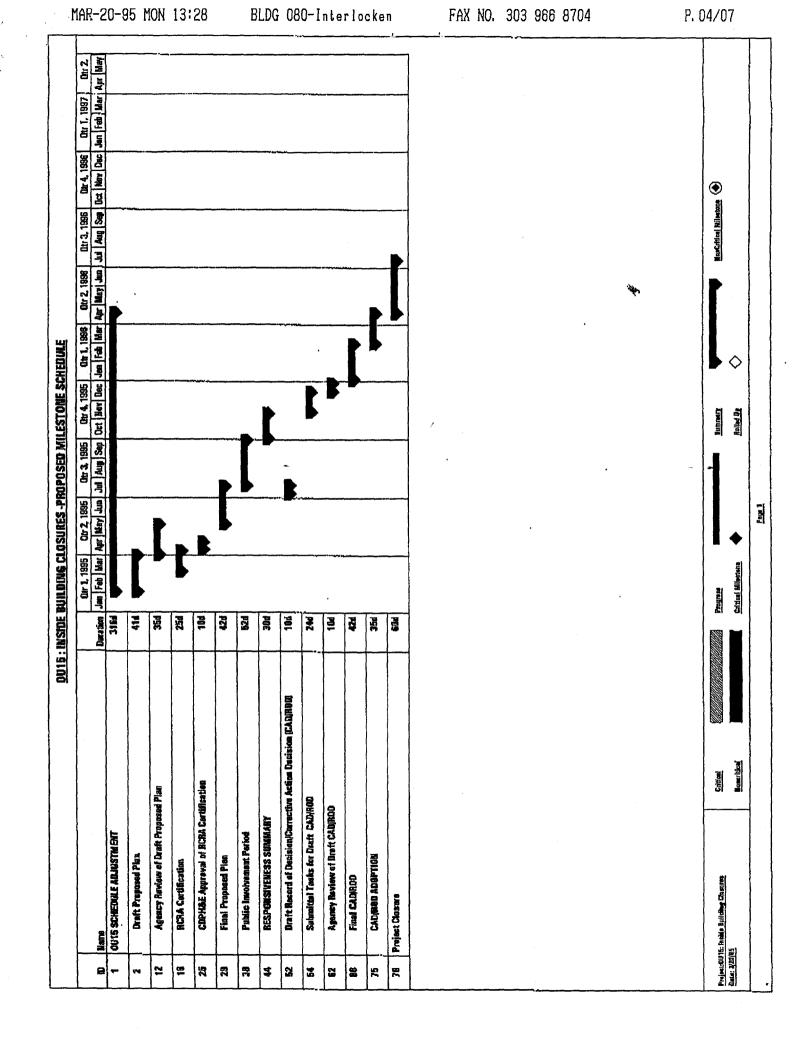
If CDPHE, EPA, and DOE were to agree to implement these approaches, then a working schedule could be established which will complete the draft CAD/ROD and have it ready for signing by September 30, 1995. Such a schedule would be built around two months for public comment and ten days of preparatory time before public comment: therefore, the time for performance of the actual work is only five of the seven remaining months. We did not propose this September date, because it is extremely tight. There is no slack to deal with failure of any party to meet demanding time frames. If any reviewer fails to respond in the allocated two weeks, then the schedule does not have slack to allow for recovery. Also, if someone requests an extension to the public comment period, we cannot recover.

If you wish to discuss this matter, please call Steve Slaten at (966-4839) or call me at 966-5981.

Sincerely,

Jessie Roberson

Draft draft draft



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EG&G ROCKY FLATS, INC.
ROCKY FLATS PLANT, P.O. BOX 464, GOLDEN, COLORADO 80402-0464 (303) 968-7006-700 M

March 21, 1995

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Jessie M. Roberson Assistant Manager for Environmental Restoration Division DOE/RFFO

SUBMITTAL OF ACCELERATED PROJECT CLOSURE SCHEDULE FOR OPERABLE UNIT 15, INSIDE BUILDING CLOSURES, TO THE DEPARTMENT OF ENERGY/ ROCKY FLATS FIELD OFFICE - SGS-098-95

Action: Submittal to Colorado Department of Public Health and Environment and the Environmental Protection Agency

The purpose of this letter is to transmit the accelerated project closure schedule to the Department Of Energy/Rocky Flats Field Office as requested on March 6, 1995 during the meeting held between Department Of Energy/Rocky Flats Field Office, the Colorado Department of Public Health and Environment, and the Environmental Protection Agency. This schedule is attached.

The schedules, submitted to the Department of Energy/Rocky Flats Field Office on March 8, 1995, were discussed at the referenced meeting. The action received by EG&G Rocky Flats, Inc. from that meeting was to develop a schedule with completion in October, 1995. The accelerated project closure schedule accompanying this correspondence fulfills that request.

During the March 6, 1995 meeting, it was agreed that all remaining reviews by the Department of Energy/Rocky Flats Field Office, the Colorado Department of Public Health and Environment, and the Environmental Protection Agency would be simultaneous. Comments from these reviews will be addressed during a "Round Table Revision" session. The accelerated project closure schedule has been developed using these agreements and respective durations of two weeks for review and one week for revision.

The result of the change in process accelerated the submittal of the Corrective Action Decision/Record of Decision to September 29, 1995. This is an eight-month acceleration. EG&G will agree to the requested milestones and proposed dates submitted on March 8, 1995 along with key assumptions. Any further change to the schedule as submitted herein will require EG&G concurrence.

If you have any questions regarding this correspondence, please contact Rich Ray at telephone extension 8557.

S. G. Stiger, Director

Environmental Restoration Program Division

RJR:jim

Orig. and 1 cc - J. M. Roberson

Attachment: As Stated 5420

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M. N. Silverman - DOE/RFFO